

U.S. SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 6-30-09
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FORTIS CORP. INCURANCE,

Plaintiff,

- against -

M/V TIAN DU FENG et al.,

Defendants.
-----X

2:08 Civ. 5585 (VM)

ORDER

VICTOR MARRERO, United States District Judge.

By Order dated January 28, 2009 (the "Order"), the Court directed plaintiff to submit to the Court within 90 days of the date of the Order a report with regard to the status of this action. The Court has not received such a report and a review of the Docket Sheet for the action indicates no further entry in the public file, correspondence with the Court or any other proceedings since January 29, 2009. Accordingly, it is hereby

ORDERED that the Clerk of Court is directed to dismiss the complaint in this action without prejudice for plaintiff's failure to comply with the Court's Order dated January 28, 2009.

SO ORDERED.

Dated: New York, New York
30 June 2009


VICTOR MARRERO
U.S.D.J.